UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---X
                                      :

JOSE SOBERAL,
                              Plaintiff   :

                                        :   21 Civ. 8670 (LGS)

               -against-   :

                                        :   ORDER

NORFOLK SOUTHERN RAILWAY CO.,   :
                            Defendant. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for January 12, 2022 at 4:30 p.m.

WHEREAS, no significant issues were raised in the parties' joint letter or proposed case management plan.

WHEREAS, in the parties joint letter, they stated that they may seek to transfer this case to the District Court of New Jersey. It is hereby

ORDERED that the January 12, 2022, initial pretrial conference is **cancelled**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan and scheduling order will issue in a separate order. The parties' attention is particularly directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further

ORDERED that by **January 21, 2022**, the parties shall file separate letters stating whether the case should be transferred to the District Court of New Jersey, or file a stipulation agreeing to transfer the case to the District Court of New Jersey. It is further
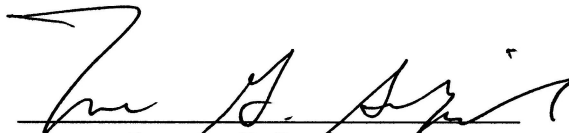
ORDERED that if Defendant seeks to file a motion to dismiss, it shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2. It is further

ORDERED, regarding settlement discussions, if and when the parties are ready to proceed with a settlement conference with the assigned Magistrate Judge or mediation in the Court's mediation program, they shall file a joint letter on ECF requesting a referral.

The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances.

Dated: January 5, 2022

New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

2